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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/047,035

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Osamu Tachiyama

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3495

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EXAMINER

BURLESON, MICHAEL L

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/047,035

Applicant(s)

TACHIYAMA, OSAMU

Examiner

Michael Burleson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8, 9 and 11-14 is/are allowed.
- 6) ☒ Claim(s) 7, 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see Applicant's remarks page 8-11, with respect to the rejection(s) of claim(s) 1-10 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Graham US 2002/0178353.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Graham US 2002/0178353.

3. Regarding claim 7, Graham teaches a data transfer method for executing data read/write between a center machine and a target machine, which are connected via a communication line (figure 1). Graham teaches the target machine preparing an e-mail

in a predetermined XML format which contains notice information to be sent to the center machine (figure 1 and page 4, paragraph 0043), sending the prepared e-mail of the predetermined XML format to the center machine via the communication line (figure 1 and 4 and page 7, paragraph 0077-0079 and 0082). Graham teaches the center machine storing the e-mail of the predetermined XML format received from the target machine via the communication line and obtaining the notice information from the target machine by analyzing the stored e-mail of the predetermined XML format using analysis software stored in advance in the center machine (figure 2 and page 5, paragraph 0058).

4. Regarding claim 10, Graham teaches a data transfer method for executing data read/write between a center machine and an image forming apparatus, which are connected to the internet (figure 1). Graham teaches the image forming apparatus preparing an e-mail in a predetermined XML format which contains notice information to be sent to the center machine (figure 1 and page 4, paragraph 0043), sending the prepared e-mail of the predetermined XML format to the center machine via the internet (figure 1 and 4 and page 7, paragraph 0077-0079 and 0082). Graham teaches the center machine storing the e-mail of the predetermined XML format received from the image forming apparatus via the internet and obtaining the notice information from the image forming apparatus by analyzing the stored e-mail of the predetermined XML format using analysis software stored in advance in the center machine (figure 2 and page 5, paragraph 0058).

***Allowable Subject Matter***

5. Claims 1-6,8,9 and 11-14 allowed.
6. Regarding claims 1 and 8, prior art references fail to teach of sending a prepared e-mail in XML format from a center machine to a target machine, in which the target machine receives the e-mail in XML format, reads the data and then sends an e-mail in XML format back to the center machine. The center machine then receives and stores the e-mail in XML format and then analyzes the stored e-mail using analysis software stored in advance.
7. Regarding claim 6 and 9, prior art references fail to teach of sending a prepared e-mail in XML format from a center machine to an image forming apparatus, in which the image forming apparatus receives the e-mail in XML format, analyzes the e-mail in XML format, writes the data in a non-volatile memory based on the analysis and then sends an ACK e-mail in XML format back to the center machine. The center machine then receives and stores the ACK e-mail in XML format and then analyzes the stored e-mail using analysis software stored in advance.

***Conclusion***

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. –

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4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471

Michael Burleson  
Patent Examiner  
Art Unit 2626



MIb  
June 11, 2006



**MADELINE NGUYEN**  
**PATENT EXAMINER**

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